

UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF TENNESSEE  
AT WINCHESTER

SKYMONT FARMS, DUSTY )  
WANAMAKER, ANTHONY WANAMAKER )  
AND CATERIA WANAMAKER, )

Plaintiffs, )

vs. )

FEDERAL CROP INSURANCE )  
CORPORATION; RISK MANAGEMENT )  
AGENCY; UNITED STATES DEPARTMENT )  
OF AGRICULTURE; AND NAU COUNTRY )  
INSURANCE COMPANY, )

Defendants. )

Case No.: 4:09-CV-65

Judge Mattice/Lee

USDA'S NOTICE OF FILING AND REQUEST FOR INSTUCTIONS

Comes now the defendant United States of America, by and through James R. Dedrick, United States Attorney for the Eastern District of Tennessee, on behalf of its agency the United States Department of Agriculture (the "Agency") and gives notice of manual filing and requests the Court's instructions as to how to complete the filing the certified transcript of the administrative record in this case. A copy of the certified index is submitted separately in hard copy, but the bulk of the administrative record is on CD-ROM/DVD and includes over fourteen hours of audio recordings of hearings that have not been reduced to transcript format. There are also documents in PDF format and approximately 955 photographs in JPEG format that make up the transcript on the discs. The USDA would propose to copy all the CD's and deliver one copy

to the court and copies to each counsel, without reducing the content of the discs to hard copy. Reference could then be made to PDF documents or times in the hearings if that becomes necessary. Copying of all the documents into hard copy and then serving all parties would unduly add to the costs in both copy costs and time spent and would not enhance the fairness or equity in, or add to, the judicial process. This issue is expected to arise in a number of pending crop insurance cases now before the Court. The other parties to this cause have been contacted and do not oppose this motion, except that plaintiff desires the hearing discs to be transcribed before they are filed.

Respectfully submitted,

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United States Attorney

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CERTIFICATE OF SERVICE

I hereby certify that on November 19, 2009, a copy of the foregoing was electronically filed. Notice of this filing will be sent by operation of the Court's electronic filing system to plaintiffs' attorney who is registered as a user of the electronic case filing system as indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system. The certified transcript noted above was delivered to the court and copies sent by first class mail to all counsel of record.

s/M. Kent Anderson  
M. KENT ANDERSON  
Assistant United States Attorney